

JAP:EMR

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

- against -

MOHAMADOE LAMINE MBACKE,

Defendant.

18 M 268

No.

**COMPLAINT AND
AFFIDAVIT IN SUPPORT
OF AN APPLICATION FOR
ARREST WARRANT**

(18 U.S.C. § 751(a))

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EASTERN DISTRICT OF NEW YORK, SS:

BRIAN FIGUEIREDO, being duly sworn, deposes and says that he is a Deportation Officer with United States Immigration and Customs Enforcement ("ICE"), duly appointed according to law and acting as such.

Upon information and belief, on or about March 27, 2018, within the Eastern District of New York, the defendant MOHAMADOE LAMINE MBACKE, having been ordered removed from the United States in any process issued under the laws of the United States by any Court, Judge or Magistrate Judge and from the custody of an officer of the United States pursuant to lawful arrest, did knowingly and intentionally escape from the custody of the Attorney General and his authorized representatives.

(Title 18, United States Code, Section 751(a)).

The source of your deponent's information and the grounds for his belief are as follows:¹

¹ Because the purpose of this Complaint is to set forth only those facts necessary to establish probable cause to arrest, I have not described all of the relevant facts and circumstances

1. On or about September 16, 2015, a United States Immigration Judge issued an order removing the defendant MOHAMADOU LAMINE MBACKE, a citizen of Senegal, from the United States. The order provided that the defendant would be held in custody pending his removal. The removal order, which was issued in the Detroit Immigration Court, followed the defendant's conviction in the Third Judicial Circuit Court of Michigan on November 13, 2013, for a felony firearms offense, for which he was sentenced to two years imprisonment.

2. Pursuant to the removal order, on or about Tuesday, March 27, 2018, the defendant MOHAMADOU LAMINE MBACKE was scheduled to travel from the United States in the custody of three deportation officers. The officers escorted the defendant on a flight from Detroit Metropolitan Airport to John F. Kennedy International Airport ("JFK") in Queens, New York. When they arrived at JFK, the officers and the defendant waited to board their connecting flight to Senegal.

3. While in the gate area, the defendant asked for and received permission to sit approximately eight to ten rows away from the deportation officers. Shortly thereafter, without authorization from the deportation officers, the defendant departed the gate area. He did not return to the gate area and has not been found.

of which I am aware. In addition, when I rely on statements made by others, such statements are set forth in part and in substance unless otherwise indicated.

WHEREFORE, your deponent respectfully requests that a warrant issue for the arrest of the defendant MOHAMADOU LAMINE MBACKE so that he may be dealt with according to law.



Brian Figueiredo
BRIAN FIGUEIREDO,
Deportation Officer
United States Immigration and Customs
Enforcement

Sworn to before me this
29th day of March, 2018



S. Scanlon
THE HONORABLE VERA M. SCANLON
UNITED STATES MAGISTRATE JUDGE
EASTERN DISTRICT OF NEW YORK